

THAW UGLY AS JEROME ARRIVES

Pursuer Expects Fugitive To Be Thrust Across Border and Thus Defeat All Plans of His Lawyers.

STONE THINKS OTHERWISE

His Client Will Be in Canada When Snow Falls, He Says—Prisoner Quarrels with Jailers—Tells of Mad-house Rescue.

[From a Staff Correspondent of The Tribune.] Sherbrooke, Ont., Aug. 25.—William Travers Jerome, under appointment by Attorney General Carmody of New York State as special Deputy Attorney General to represent the state in the efforts under way to get Harry K. Thaw back to Matteawan, arrived in Sherbrooke this afternoon. When the various methods which Thaw's attorneys will employ to block court appeals and other plans for deportation should Canadian officials find him liable to such action, were outlined to Mr. Jerome he said:

"That is very ingenious, but suppose the immigration authorities clap the handcuffs on him and shove him across the border as soon as they reach a decision—what is he going to do about it? I understand that a writ of habeas corpus does not lie when his arrest is ordered by the immigration people and that their decision is not reviewable by the courts."

"Do you know whether the immigration people have decided to send him back to Vermont?" he was asked. "If so, do you think that means he will go back to Matteawan?"

"I know nothing of what action they intend to take," he replied. "I am here to inform myself as to the facts in the case and to act as a handy man on the job."

"Can he be extradited to New York from Vermont if he is sent there?"

"Any crime is extraditable from one state in the United States to another," he said. "It is up to the Governor of the state to which he is sent whether he shall be handed over to New York. The law is plain. The main point to be decided by the Governor is whether the extradition of the person under arrest whose extradition is asked is the same as that of the person who committed the alleged crime in the state asking for his return."

Stone outlines New Plan.

"There is no argument as to facts presented, simply briefs setting forth the crime alleged and that the man under arrest is the man wanted, accompanied by proofs that he is Thaw's lawyer will probably file briefs denying the allegation, but the case against him will not be tried there. His identity is the main thing. The Governor may then act as he sees fit."

A new method by which to block Thaw's deportation was outlined today by William A. Stone, former Governor of Pennsylvania, who is here as a member of his counsel. If this plan runs its course it will attack the constitutionality of the immigration laws under which Thaw's deportation is expected to be ordered. It will also raise an international issue on the rights granted by the treaty between the United States and Canada to the citizens of either country in the courts of the other.

"Has the constitutionality of the Canadian immigration laws ever been thoroughly tested?" he was asked.

"Not that I know of," Mr. Stone replied. "I know of no leading case or precedents on the matter."

"Do you think Thaw will be sent back to Vermont at an early date?" he was asked.

"Well," he answered, "you had better

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LOSES HER LOVE FOR LIMP

Wife Would Discard Husband Who Posed as Hero.

Mrs. Eleanor A. McManus, who married James McManus nine days ago, filed a suit in the Supreme Court yesterday asking an annulment of the marriage. She alleged that she married McManus under the belief that he was a fireman with a record for bravery. She discovered, she said, that the Fire Department had never heard of her husband, but that the police had.

Mrs. McManus is a stenographer. She said that when she met her husband and asked about a slight limp that he had he told her he fell off a ladder at a fire. To carry out the alleged deception, McManus wore a blue shirt and a badge of the Fire Department.

After she married her hero Mrs. McManus learned that he had made no provision for their home. She went back to her own house and began an investigation. She learned, she alleged, that the limp that her husband had was caused by a shot fired at him by a policeman, who was acting in self-defense.

SAVES TWO; 15 HIS RECORD

Police Sergeant Rescues Father and Son in Hudson.

Sergeant Michael J. Mulhall, of Harbor A Squad, rescued a man and his son from drowning in the North River yesterday afternoon. The man, Thomas Ross, forty-two years old, who lives at No. 278 Mott street, was at Work at Pier 1, Hudson River. His son, Joseph, went to the pier to go home with his father, and, while waiting, fell off the end of the pier into the water.

Although the father could not swim he jumped after the boy and managed to reach him. The freighter J. W. Collins was passing at the time and some of her hands threw ropes to Ross, but the tide carried him and the boy away.

Sergeant Mulhall put out in a launch, with another policeman. As they came near the man and boy the sergeant without taking off his coat, plunged into the water and reached them in a few strokes. Passengers on a Coney Island steamboat close by watched the rescue and cheered the sergeant.

Sergeant Mulhall has rescued fifteen persons from drowning since November, 1906.

FRANK GUILTY OF MURDER

Throng Cheers Conviction of Mary Phagan's Slayer.

Atlanta, Aug. 25.—Leo M. Frank was found guilty late today of the murder last April of Mary Phagan, fourteen years old, an employee of the local factory of the National Pencil Company, of which Frank was superintendent.

As the news flashed to the crowd outside the courthouse there was loud cheering. Mounted policemen rode through the throng, but the demonstration continued.

As he stepped into the street Solicitor Hugh Dorsey, who conducted the prosecution, was lifted to the shoulders of several men and carried more than a hundred feet through the shouting throng. Judge Roan was also cheered.

Mary Phagan's body was found in the basement of the factory on the morning of April 27. James Conley, a negro sweeper, swore he had stood guard outside the factory office while Frank was alone with the Phagan girl and later helped Frank carry the body to the basement.

SHOOTS TO SAVE MOTHER

Boy Badly Wounds Laborer Who Was Attacking Her.

In a desperate attempt to save his mother from being beaten to death Joseph Perri, fifteen years old, shot Thomas Murphy, a young laborer, in the breast and left arm early last evening, wounding him so badly that he is not expected to live.

He is in Bellevue and Perri is under arrest at the Children's Society.

The Perri live on the top floor of a tenement house at No. 120 Second avenue and Murphy had an apartment opposite, where he lived with his wife and two children. Several times, according to young Perri, Murphy had become intoxicated and had attacked his mother, but the police had not been notified owing to Murphy's promises to do better.

Perri, who is an errand boy, reached home early last night and started up stairs to his apartment. When half way up he heard cries, and as he came in sight of the top landing he saw his mother scramble to her feet and run into the apartment with Murphy after her. As he entered, the boy says, Murphy struck his mother, knocking her down. Then he seized her by the hair and dragged her toward the hallway.

Joseph ran to a trunk, grabbed a loaded revolver and started for Murphy, who turned on him. Perri fired twice and Murphy dropped. Ambulance surgeons who took Murphy to Bellevue returned and attended Mrs. Perri, who was in a state of collapse. Neighbors have corroborated the boy's story.

NEWPORT BAN ON LIQUOR

Senator Wetmore Requested to Stop Illegal Casino Sale.

[By Telegraph to The Tribune.] Newport, R. I., Aug. 25.—For many years during the national lawn tennis tournament at the Newport Casino it has been possible to buy liquor on the piazza of the dressing room building.

MITCHELL SCORNS HEARST'S LEAGUE

Fusion Candidate for Mayor Refuses to Accept Nomination Tendered by the Independence Organization.

READS LECTURE ON DUTY

Says It Would Not Be Honorable for Him to Accede When Editor and His Associates Turned Down Prendergast and McAneny.

John Purroy Mitchell, in a letter sent last night to William J. Taylor, chairman of the Independence League City Committee, scornfully refused a nomination for Mayor from the league unless it endorsed Controller Prendergast and President McAneny, his colleagues on the fusion slate.

He urged their acceptance by the league, in spite of the declaration by William Randolph Hearst that the organization would be recreant to its principles in so doing, by reason of the stand of the Controller and McAneny on subways.

It was considered by politicians to be the only stand that Mr. Mitchell could honorably take. However, it was wondered whether or not this latest move would not result in more turmoil in the fusion camp. If the league finally turned down Prendergast and McAneny at Mitchell refused the nomination, it was suggested that Mr. Hearst might run independently for Mayor, as he has done twice before.

The attitude of Mr. Mitchell was made public shortly before midnight, after he had conferred all day with his political advisers.

Mitchell to League.

Mr. Mitchell's letter follows: "On Saturday your committee did me the honor to make me the official desirer of the Independence League for the office of Mayor in its primary election, to be held on September 16. Your committee did not, however, designate Mr. McAneny for the office of President of the Board of Aldermen or Mr. Prendergast for the office of Controller.

"Much as I appreciate the honor conferred by your committee in its designation of me as its candidate for Mayor, much as I value and welcome the support of the Independence League in my canvass for that office, it will be obvious to you that I could not honorably accept nomination upon a ticket which denies nomination to my two associates upon the fusion city ticket.

"The Independence League, which has stood for honest government in this city, and has turned its face consistently away from Tammany Hall and its corrupt control and special interests, should not be the first to take a step in the direction of dissension and disruption.

Murphy, Not Subways, the Issue.

"The issue of the coming municipal campaign does not turn upon the merits or demerits of the dual subway operating contracts. The issue is, and must remain, the defeat of Murphy and Tammany Hall, and the establishment in the city hall of honest and efficient government, as written in the fusion platform.

"Every one knows my position with regard to subways. I was no better satisfied than are the members of your league with the terms of the contracts for the operation of the dual subway system. That question, however, is a thing of the past. The contracts have been adopted. They are binding legal obligations of the city, contracted by majority vote of the board of estimate. They perform mark out the path along which rapid transit development must proceed in this city for at least the next ten years. Their adoption is an accomplished fact, not an issue.

"The only subway issue of to-day is the expeditious enforcement of the contracts in the interests of the people of the city as against their constant modification in the interests of the transit companies.

"Already a disposition has been shown by the Tammany candidate for Mayor to abrogate the terms of these contracts and revise them in the interests of the traction companies. Mr. McAneny's timely protest against this attempted looting of the city frustrated that plan.

"It is to be borne in mind that all modifications of these contracts, to be valid, must be approved by the Board of Estimate. No one will doubt that the interests at stake in the strict enforcement of these contracts will be safer in the hands of Mr. McAneny and Mr. Prendergast than in those of Tammany Hall.

Urges Duty of Organization.

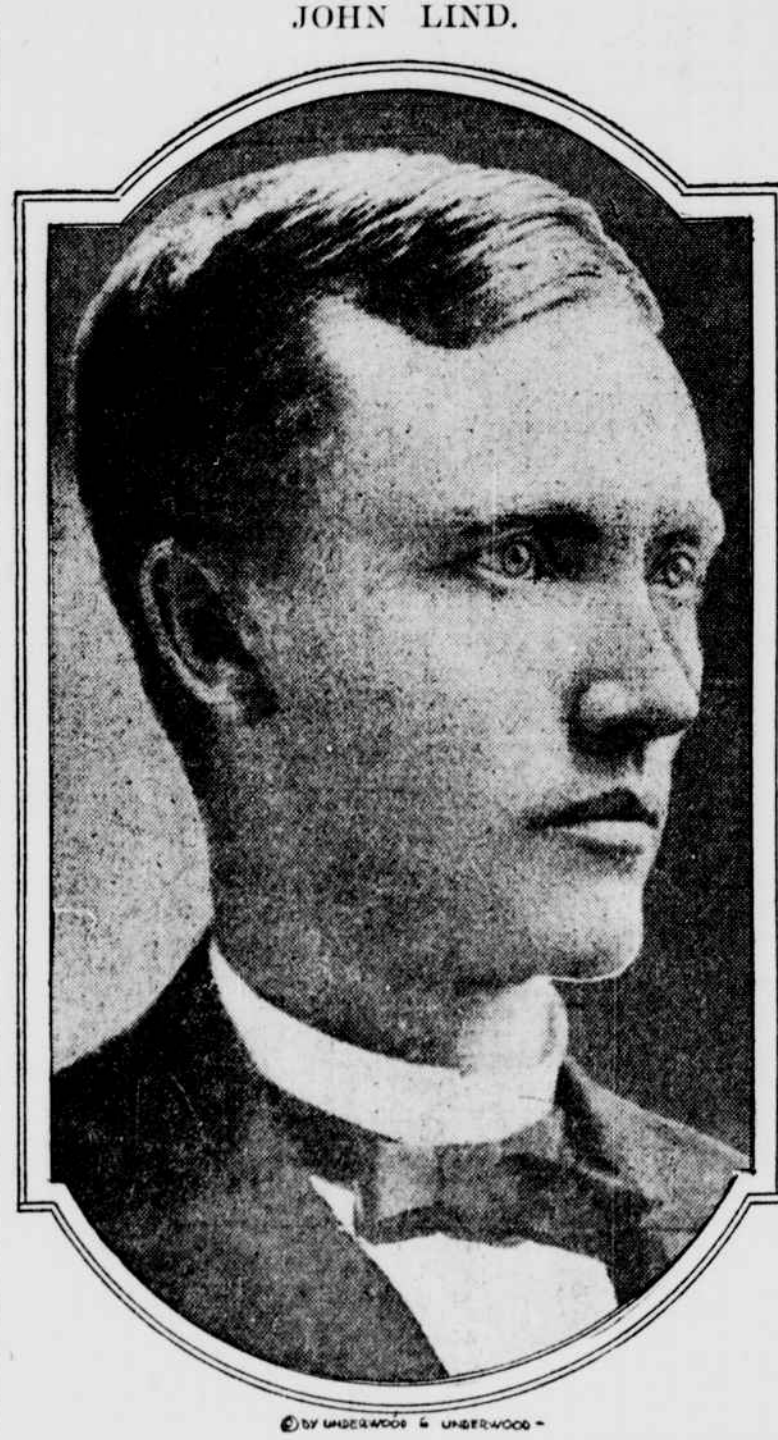
"To reject Mr. McAneny and Mr. Prendergast upon their record in advocating these contracts would be to punish them for one act in which your judgment and my judgment was opposed to theirs and to disregard their records on all other matters before the Board of Estimate and in their respective departments.

"The records of the fusion members of the Board of Estimate contrasted with the record of the present Tammany Hall Mayor constitute the basis of the appeal to be made to the people in this campaign for a continuance of efficient business government and the extension of that kind of government to the departments under the control of the Mayor and for the exclusion of Tammany Hall, its predatory interests and contract-jobbers, from the city government for the next four years.

"To deny endorsement to Mr. McAneny and Mr. Prendergast can only tend to aid Tammany in its effort to elect its own nominees. Surely the Independence League, which has always fought Tammany Hall and all it stands for, will never desire to aid or abet Tammany by opposing the men nominated by Hall by other fusion elements against Tammany Hall for these offices.

"With all the sincerity and earnestness that I possess I urge upon you the duty

(Continued on second page, third column.)



DEAD LOVERS ADRIFT IN MOTOR BOAT AT SEA

Sweethearts Who Were to Wed in the Fall Believed to Have Entered Into Suicide Pact.

[By Telegraph to The Tribune.] Rockland, Me., Aug. 25.—A power boat drifting slowly seaward, with the bodies of a young man and a young woman lying in the bottom, was the grim discovery made by Harry Dyer, a fisherman, this morning. The occupants of the craft were Carl W. Perry and Miss Angie Spear, both graduates of the Rockland High School this year, and members of two of the city's most prominent families. No messages were found in the boat or on the persons of the young couple to tell the cause of the tragedy, but the position of the bodies and the entire absence of anything resembling a struggle create strong reason for the belief that the two deaths are the result of a suicide pact.

A .38-calibre revolver was found grimly clutched in the right hand of Perry. It was evident that this weapon had been used to end both lives.

When Mr. Dyer sighted the drifting boat near Bay Islands this morning he first thought it had broken from its moorings. As he drew near he saw the forms of two persons in the bow, both apparently asleep. Closer inspection of the pallid and blood-stained faces showed that the two were dead. He towed the boat into Rockland, where the Coroner and police authorities were notified.

The couple left this port at 10:30 o'clock yesterday morning with the apparent intention of making a brief pleasure trip in the outer harbor, and their families were expecting their return for the noonday meal.

There were two wounds on the girl's body. One bullet had entered her heart, the other had penetrated her temple. The revolver was held so close to Miss Spear that her clothing was scorched and her flesh burned. Either bullet wound would have proven fatal.

After shooting his companion, Perry evidently placed the muzzle of the pistol in his mouth and pulled the trigger. Death resulted instantly.

Perry was the son of Benjamin C. Perry, a business man of this city. He was prominent in interscholastic athletics and was connected with the Maine Naval Reserve.

Miss Spear was the daughter of Mrs. Alice Spear, a widow.

Perry and Miss Spear had been intimate friends during their school days, and among their classmates it was generally understood that they were to be married this fall.

HYDROPLANE SINKS WITH 5

Stephen Bonsal, Jr., and Four Others Have Narrow Escape.

Watertown, N. Y., Aug. 25.—Stephen Bonsal, Jr., son of the war correspondent of New York, had a narrow escape from drowning at Alexandria Bay this morning, when a hydroplane owned by L. H. Vilas, of Chicago, was capsized.

Vilas, his brother Jack, the aviator, Bonsal, Max Ragerty, of Kansas City, and Ewing Rafferty, of Pittsburgh, were in the boat when it was capsized, and all were thrown into the water, the boat sinking in forty feet of water.

All except Bonsal could swim, and he was held above the surface by Jack Vilas until a skiff arrived and rescued the party.

CIGAR STORE BANDITS GET \$70 BY GUN PLAY

Hold Up Clerk at 75th Street and Columbus Avenue and Rifle Till.

Without taking the trouble even to impersonate clerks and wait on customers who interrupted them at their work, three men held up a lone clerk in the United Cigar Store, at No. 322 Columbus avenue, early last evening, took \$70 in cash from the register, and after leisurely giving directions as to his conduct following their departure, shoved the terrified attendant into a corner and disappeared. Squads of detectives, rushed from Headquarters at the first alarm from the local police, failed to pick up the trail of the robbers.

Stripped of all the dramatic features of the taxicab raids so popular last winter, and which ended with the capture in April of three men, two of whom are now serving eleven-year sentences in Sing Sing, last night's hold-up was as baffling as any the police have encountered. The store is near the corner of West 75th street and one of the best patronized in the uptown district. The place was deserted, however, and a single clerk, John C. Reynolds, was in charge when the men appeared.

The first to enter walked the length of the store and stopped near the cash register. A companion, who lounged in after him, stopped about half way of the long main counter and the third halted at the door. The man near the cash register ordered a box of cigarettes and Reynolds turned to get them.

As he turned about it was to find the man nearer the door brandishing across the counter with a revolver in his hand.

Reynolds dropped the cigarettes and stood very still while the robber near the counter and began extracting the money—small change included—overlooking only two nickels in the process. As he pushed the empty drawer back in place a customer brushed by the man at the door and entered to make a purchase. A nod to Reynolds was enough to insure silence, and the clerk attended to the newcomer's wants in such a fashion that he aroused no suspicion.

With the disappearance of the trio Reynolds's nerve returned. He dodged out of the store, running into the arms of William Delaney, a private watchman, to whom he gasped the news. Delaney blew his whistle and rapped for help, bringing Patrolman Felt-house, of the West 68th street station, and the three started on the run through 75th street. Householders on front stoops directed them on toward Central Park, in which direction the three men had gone. A careful search brought no results.

TWO KILLED BY MEXICANS

Englishman and German Victims of Colima Outlaws.

[By Cable to The Tribune.] Mexico City, Aug. 25.—Arthur Laughton, an English civil engineer, thirty-five years old, and Eric von Thaden, a German, nineteen years old, have been murdered by outlaws in the State of Colima. They were engaged in the excavation of an irrigation canal.

Laughton was a son-in-law of Zela Nuttall, a well known American archaeologist. In spite of alarmist rumors, this city continues quiet and orderly, though awaiting with keen interest developments in the international drama.

A few dashes ANGSTUR BATTERS in a glass of water counteract impurities.

LIND TO RETURN, HIS PLANS FAIL

Wilson's Special Representative Says Farewell to Mexico's Foreign Minister, and Will Start Home To-day.

CONGRESS WILL HEAR THE MESSAGE

President Ready to Tell Legislators What He Has Done in the Mexican Situation and the Attitude He Will Maintain in View of Huerta's Refusal to Accept Suggestions.

[By Cable to The Tribune.] Mexico City, Aug. 25.—John Lind, President Wilson's personal representative here, will leave for Vera Cruz to-morrow morning, and will probably sail for the United States on Thursday.

The negotiations initiated by Mr. Lind have failed of their object.

Mr. Lind called on Federico Gamboa, Minister of Foreign Relations, this afternoon to take leave.

The retiring American said he would not return to the United States on a warship, but expected to sail on Thursday on the Ward liner Morro Castle.

Mr. Lind refused to discuss developments of the international situation and would not say whether he had been ordered by President Wilson to return.

It is understood that W. Bayard Hale, who has been here some time as a special agent for the State Department, will leave with Mr. Lind, or follow him soon to the United States.

Minister Gamboa did not take an alarming view of the departure of Mr. Lind. He said to-night that negotiations on Mr. Lind's proposals had not been broken off.

WILSON'S MESSAGE READY TO BE DELIVERED TO-DAY

[From The Tribune Bureau.] Washington, Aug. 25.—President Wilson read his Mexican message to the Foreign Relations committees of the two houses of Congress this evening.

The message admits frankly the failure of the mission of ex-Governor Lind, but makes no specific recommendations and offers no solution of the problem.

The President expressed the view to his advisers, however, that the public opinion created by a frank statement of the facts would prove sufficient to bring Huerta to terms. His message discusses at some length the neutrality laws, and suggests that hereafter they be strictly enforced with respect to both factions. It is further impossible to draw from the message any inference other than that Americans should depart from Mexico and leave the combatants to fight it out for themselves.

The President expects that Mr. Lind will hold himself in readiness to meet any overtures which may be forthcoming from Huerta, although it is not known that he will remain in the City of Mexico, or even on Mexican soil.

The President explained his instructions to Mr. Lind after he had read the text of the message, reading to the effect of strengthening Huerta's position in the popular mind, instead of the reverse.

Proposals Made by Lind.

The proposals submitted by Mr. Lind preceded by the assertion that the United States had a friendly interest in Mexico and was prepared to do its utmost to assist in bringing about peace and order—were that an armistice be declared; that an election be held in accordance with the provisions of the Mexican Constitution; and that Huerta should not be a candidate for the Presidency. Under these conditions the United States would exert its influence to the utmost to assist in the establishment of a constitutional government on a permanent basis.

General Huerta, replying to the suggestions of an armistice, asks on what ground the United States can in justice demand the discontinuance of all operations against outlaws and bandits, and, indeed, meets every other proposition with arguments difficult to answer.

Just after the conference was concluded a message was received from Mr. Lind, the contents of which were not disclosed, although when it began to come in over the State Department wire the hope was held out that its purport would be made public. It was plain, however, that the message was of a discouraging nature, and it was later asserted that nothing would interfere with the President's delivering his message to-morrow.

The representatives of the Senate committee present were Messrs. Bacon, chairman; Stone, Shively, Clarke, of Arkansas; O'Gorman, Williams, Pomeroy, Swanson, Smith, of Arizona; Lodge, McCumber and Borah. Members of the House committee present were Messrs. Flood, chairman; Cline, Linthicum, Diefenderfer, Stedman, Garrison, Walker, Cooper and Temple. Secretary Bryan was also there.

Wilson's Message Friendly.

The alternative of Huerta's assuming a satisfactory attitude is the President's deliverance of his message to Congress to-morrow. The administration has been playing the President's message pretty hard, believing, apparently, that the impending presentation of the Mexican matter to Congress would have a salutary effect upon Huerta, who has, through some channel, been kept informed of what has been going on in Washington. At the same time it has been definitely and authoritatively stated that the President's message is couched in kindly terms, and emphasizes the sincere friendship which the United States holds for the Mexican people.